IN THE UNITED STATES ARMY
FIRST JUDICIAL CIRCUIT

UNITED STATES	)	
	)	**RULING: DEFENSE MOTION-**
v.	)	**CLARIFICATION OF RULING**
	)	**MOTION TO COMPEL**
MANNING, Bradley E., PFC	)	**DISCOVERY 2**
U.S. Army, (b) (6)	)	
Headquarters and Headquarters Company,	)	
U.S. Army Garrison, Joint Base Myer-	)	DATED: 25 June 2012
Henderson Hall, Fort Myer, VA 22211	)	

1. On 23 June 2012, this Court issues a Ruling re: Defense Motion to Compel Discovery #2. The Defense moved for clarification of the ruling. Both parties request the Court to decide this issue at today's article 39(a) session.

2. The Court's order applies to files the Government has previously reviewed and files the Government will review.

3. In its Motions to Compel Discovery, Defense proffered that the discovery is necessary for the Defense to accurately assess the damage that the alleged leaks caused. As such, the Court ordered the Government to disclose information from files subject to RCM 701(a)(2) that involve investigation, damage, and mitigation measures. The law requires the Government to disclose information obviously material to the preparation of the defense. Material means relevant and helpful to the defense. Thus, the Government in reviewing files subject to RCM 701(a)(2) will provide the Defense any information beyond the investigation, damage, and mitigation measures that are obviously relevant and helpful to the defense.

So **ORDERED**: this 25th day of June 2012.

DENISE R. LIND
COL, JA
Chief Judge, 1st Judicial Circuit

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